

**Amendments to the  
*Water Quality Control Plan for the Central Coastal Basin*  
to Improve and Clarify  
Waste Discharge Prohibition Language**

**Project Report**

September 22, 2021



**California Regional Water Quality Control Board, Central Coast Region  
California Environmental Protection Agency**



## **State of California**

Gavin Newsom, *Governor*

Jared Blumenfeld, *Secretary for Environmental Protection*

## **California State Water Resources Control Board**

E. Joaquin Esquivel, *Chair*

Dorene D'Adamo, *Vice Chair*

Sean Maguire, *Member*

Laurel Firestone, *Member*

Nichole Morgan, *Member*

Eileen Sobeck, *Executive Director*

## **California Regional Water Quality Control Board, Central Coast Region**

Dr. Jean-Pierre Wolff, *Chair*

Jane Gray, *Vice Chair*

Dr. Monica S. Hunter, *Member*

Jeffrey Young, *Member*

Vacant, *Member*

Matthew T. Keeling, *Executive Officer*

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401

Phone • (805) 549-3147

<http://www.waterboards.ca.gov/centralcoast>

## Table of Contents

|       |  |    |
|-------|--|----|
| 1     | Introduction .....   | 5  |
| 1.1   | The Basin Plan .....   | 5  |
| 1.2   | Amending the Basin Plan .....  | 5  |
| 1.3   | Triennial Review of the Basin Plan .....   | 6  |
| 2     | Project Definition .....   | 6  |
| 2.1   | Project Scope and Content .....  | 6  |
| 2.2   | Project Objectives .....   | 7  |
| 2.3   | Project Necessity .....  | 8  |
| 2.4   | Antidegradation .....  | 8  |
| 2.5   | Need for Peer Review .....   | 8  |
| 3     | Proposed Amendments .....  | 8  |
| 3.1   | Add list of sections in the Basin Plan containing discharge prohibitions (amend section 4.5.1.5 of the Basin Plan - editorial) .....             | 9  |
| 3.1.1 | Discussion .....   | 9  |
| 3.1.2 | Proposed Basin Plan Amendment .....  | 9  |
| 3.2   | Revise typos in Enforcement Actions section (amend section 4.5.1.6 of the Basin Plan - editorial) .....  | 10 |
| 3.2.1 | Discussion .....   | 10 |
| 3.2.2 | Proposed Basin Plan Amendment .....  | 10 |
| 3.3   | Amend the existing Land Disturbance Prohibition (amend section 4.8.5.1 of the Basin Plan) .....  | 11 |
| 3.3.1 | Discussion .....   | 11 |
| 3.3.2 | Proposed Basin Plan Amendment: .....   | 14 |
| 3.4   | Consolidate existing domestic animal waste prohibitions (amend sections 4.8.5.6, 4.9.7, 5.4.2.1, and 5.4.5 of the Basin Plan - editorial) .....  | 16 |
| 3.4.1 | Discussion .....   | 16 |
| 3.4.2 | Proposed Basin Plan Amendment: .....   | 17 |
| 3.5   | Remove exemption for agricultural operations from regulation of sediment discharges (amend section 5.3.6 of the Basin Plan) .....                | 20 |
| 3.5.1 | Discussion .....   | 20 |
| 3.5.2 | Proposed Basin Plan Amendment: .....   | 20 |
|       | Amend section 5.3.6 of the Basin Plan as follows .....   | 20 |
| 3.6   | Establish prohibitions on specific unauthorized discharges to waters of the State (amend sections 5.4, 5.4.1, and 5.4.2 of the Basin Plan) ..... | 22 |
| 3.6.1 | Discussion .....   | 22 |
| 3.6.2 | Proposed Basin Plan Amendments .....   | 23 |
| 3.7   | Add a map of the Monterey Bay Prohibition Zone (amend section 5.4.3 of the Basin Plan - editorial) .....   | 25 |
| 3.7.1 | Discussion .....   | 25 |
| 3.7.2 | Proposed Basin Plan Amendment: .....   | 25 |
| 3.8   | Add relevant section numbers to the specific prohibition subjects (amend section 5.4.5 of the Basin Plan – editorial) .....                      | 27 |
| 3.8.1 | Discussion .....   | 27 |
| 3.8.2 | Proposed Basin Plan Amendment .....  | 27 |
| 4     | Environmental Analysis .....   | 28 |

|     |   |    |
|-----|---|----|
| 5   | References .....  | 29 |
| 6   | Appendices .....  | 30 |
| 6.1 | Appendix 1 - Findings from Agricultural Order 4.0 (Order No. R3-2021-0040 – Attachment A) ..... | 30 |
| 6.2 | Appendix 2– Regional Water Board Basin Plan Amendment Process Flowchart .....                   | 33 |
| 6.3 | Appendix 3- CEQA Environmental Checklist.....   | 33 |

# 1 Introduction

## 1.1 The Basin Plan

The *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) was first adopted in 1975 and has been periodically amended by the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board). The most recent 2019 Basin Plan edition is available on the Basin Planning website:

[https://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/basin\\_plan](https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan)

The Basin Plan establishes designated uses for surface waters and groundwaters (beneficial uses) and the water quality that must be maintained to support those uses (water quality objectives). The Basin Plan describes the programs, projects, prohibitions, and other actions, which are necessary to achieve water quality objectives (implementation), and summarizes California State Water Resources Control Board (State Water Board) and Central Coast Water Board plans and policies to protect water quality. Lastly, the Basin Plan describes statewide and regional surveillance and monitoring assessment programs.

The Basin Plan forms the basis for regulatory actions taken by Central Coast Water Board to protect waters of the State and to ensure compliance with applicable federal and state laws, including the federal Clean Water Act and the California Water Code. Section 303 of the federal Clean Water Act requires states to adopt water quality standards, which consist of three parts (1) the designated uses of waters, (2) water quality criteria (referred to as “water quality objectives” in California) necessary to protect those designated uses, and (3) an antidegradation policy. Under California Water Code section 13240, each California regional water board is required to formulate and adopt a water quality control plan (i.e., a basin plan) for all areas within their region.

## 1.2 Amending the Basin Plan

California Water Code section 13240 also requires the Basin Plan to be periodically reviewed and revised. Amendments of the Basin Plan are adopted by the Central Coast Water Board and subsequently approved by the State Water Board and the California Office of Administrative Law. Additionally, the United States Environmental Protection Agency must approve any Basin Plan amendment that involves changes to water quality standards.

Appendix 2 (section 6.2 of this report) shows a flowchart of the steps required for the amendment of a regional water board basin plan.

### 1.3 Triennial Review of the Basin Plan

As part of the water quality planning process, the Basin Plan is periodically reviewed. Section 303(c) of the Clean Water Act requires that Basin Plan water quality standards be reviewed at least once every three years in a “triennial review.” The Central Coast Water Board’s most recent triennial review of the Basin Plan was in 2017:

[https://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/basin\\_plan/triennial\\_review/](https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/triennial_review/)

The triennial review results in a prioritized list of potential amendments to the Basin Plan that can be undertaken to improve the Basin Plan’s clarity and usefulness. Staff initiated this amendment project to address two of the priority potential amendments identified in the 2017 Triennial Review, specifically priority issues #3 and #17 (out of 21 priority issues).

The 2021 triennial review prioritization process was not complete as of the date that this document was developed for public comment. However, staff will revise this section to reflect the 2021 triennial review prioritization in advance of the Central Coast Water Board adoption hearing for the proposed amendments herein.

## 2 Project Definition

This section provides an overview of the Basin Plan amendment project and explains why the proposed project is needed. This section also provides the project objectives, an antidegradation statement, and explains why external scientific peer review was not needed.

### 2.1 Project Scope and Content

This project report document describes options proposed by Central Coast Water Board staff to improve and clarify waste discharge prohibition language in the Basin Plan. This project report also presents information required for basin planning programs of the state and regional water boards under the California Environmental Quality Act (CEQA).

In general, Basin Plan waste discharge prohibitions identify waste discharges that are not permitted within the region due to their potential or known impact on waters of the State. The project includes proposed amendments to the Basin Plan to improve and/or clarify waste discharge prohibition language in the following areas:

- Amendments to establish additional prohibitions on specific unauthorized discharges<sup>1</sup> in all waters of the State within the geographic boundaries of the Central Coast Region (sections 5.4, 5.4.1, and 5.4.2 of the 2019 Basin Plan),

---

<sup>1</sup> A discharger complying with a Regional Water Board or State Water Board order or management agency agreement regulating the discharge is not subject to the prohibition.

- Amendments to the existing land disturbance prohibition (section 4.8.5.1),
- Amendments to remove exemptions for discharge types that are now regulated and are known to cause or contribute to the degradation of water quality (sections 4.8.5.1 and 5.3.6),
- Amendment to include a list of all sections of the Basin Plan that contain prohibitions (editorial – section 4.5.1.5),
- Amendment to add a map of the Monterey Bay prohibition zone (editorial – section 5.4.3),
- Amendments to consolidate existing domestic animal waste prohibitions (editorial - sections 4.8.5.6, 4.9.7, 5.4.2.1, and 5.4.5)
- Amendments to correct typos in the text on the same page as the prohibitions sections of the 2019 Basin Plan (editorial – section 4.5.1.6), and
- Amendments to add reference to specific sections of the Basin Plan where prohibitions are found in the Chapter Four Implementation Plan (editorial – section 5.4.5).

The proposed amendments discussed in this report are a combination of substantive and non-substantive amendments to the Basin Plan.

The non-substantive amendments are editorial, and consequently, are changes without regulatory effect under California Code of Regulations (CCR), title 1, section 100, subdivision (a). These changes without regulatory effect involve revisions to the structure, grammar, and organization of certain Basin Plan provisions. The non-substantive portions of the proposed amendments are not a “project” within the meaning of the CEQA because they will cause neither a direct physical change in the environment nor a reasonably foreseeable indirect change. (See Public Resources Code section 21065 [defining “project”]; CCR, title 14, section 15378 [defining “project”]). As a result, the non-regulatory portions of the amendments are not subject to CEQA and, therefore, they are not subject to the State Water Board’s certified regulatory program regulations for implementing CEQA (CCR, title 23, section 3720, subdivisions (b) and (c)(2)).

## **2.2 Project Objectives**

The main objective of the project is to improve effectiveness of water quality protection by increased clarity and accuracy of language in the Basin Plan. The objective of the editorial changes, which are without regulatory effect, is to improve the accuracy and usefulness of the Basin Plan.

The objectives of the proposed Basin Plan amendments are consistent with the mission of the State Water Board and the requirements of the federal Clean Water Act and the California Water Code. These laws require the Central Coast Water Board to preserve, enhance, and restore the quality of water in the Central Coast Region.

## 2.3 Project Necessity

The substantive portions of these proposed Basin Plan amendments are necessary to better protect water quality by prohibiting specific unauthorized waste discharges to waters of the State and by clarifying the applicability of the existing land discharge prohibition.

Editorial amendments are needed to improve the clarity of the Basin Plan. Improved clarity will ensure that staff, stakeholders, and members of the public have a common understanding of foundational information in the Basin Plan in relation to the application and implementation of Basin Plan policies and water quality standards.

A detailed discussion of each proposed amendment is provided in section three of this document. Those discussions contain substantial evidence for the need of each proposed amendment based on facts, studies, or expert opinion as required by the California Government Code section 11349(a).

## 2.4 Antidegradation

The amendments proposed in this project must comply with the requirements of the State's Antidegradation Policy (State Water Board Resolution No. 68-16) and the federal antidegradation regulations included in title 40 of the Code of Federal Regulations (CFR) section 131.12 (40 CFR 131.12). Under the state Antidegradation Policy, the quality of some of the waters of the State is higher than established by adopted policies. The Basin Plan amendments described in this project will not result in degradation of water quality in waters currently having high water quality. Moreover, the Basin Plan amendments may maintain and protect existing beneficial uses and the water quality necessary to protect those beneficial uses.

## 2.5 Need for Peer Review

California Health and Safety Code section 57004(d) requires an external scientific peer review for the scientific portion of a proposed rule. The Basin Plan amendments proposed in this report, however, do not include a "scientific portion." The amendments are being made based on policy and authority of state and federal laws rather than scientific considerations.

For these reasons, no peer review is necessary for these Basin Plan amendments.

## 3 Proposed Amendments

In this chapter each proposed amendment will be presented. The **Discussion** section will include the necessity of each amendment. The **Proposed Basin Plan Amendment** section will show the proposed Basin Plan amendments in strikeout and underline format.

### **3.1 Add list of sections in the Basin Plan containing discharge prohibitions (amend section 4.5.1.5 of the Basin Plan - editorial).**

#### **3.1.1 Discussion**

In the 2019 version of the Basin Plan, discharge prohibitions are specified in both Chapters 4 and 5. Section 4.5.1.5 of the Basin Plan states that "Prohibitions can be found by referring to the Table of Contents." The Table of Contents does list the Chapter 5 discharge prohibitions but does not list the discharge prohibitions in Chapter 4. To provide additional clarity for users, the proposed amendment will add a list of all Basin Plan sections containing prohibitions in section 4.5.1.5, instead of referring users to the Table of Contents.

#### **3.1.2 Proposed Basin Plan Amendment**

This section shows the proposed Basin Plan amendments in **red** font. Removed text is shown in **strikeout**; new text is shown with an **underline**.

Amend section 4.5.1.5 of the Basin Plan as follows:

##### **4.5.1.5 Prohibitions and Prohibition Exemptions**

The Regional Board can prohibit specific types of waste discharges and waste discharges to certain areas (California Porter-Cologne Water Quality Control Act Section 13243). These discharge prohibitions may be revised, rescinded, or adopted as necessary. Discharge prohibitions are described in pertinent sections of Chapter Four, "Implementation Plan" and Chapter Five, "Plans and Policies" in the Regional Board Discharge Prohibition Section. Prohibitions can be found ~~by referring to the Table of Contents.~~ in the following sections:

##### **Section – Prohibition Subject**

4.6.4.1 - Solid Waste Discharge Prohibitions

4.8.3.5.6 - Mushroom Farm Operation - Prohibitions

4.8.4.2 - Individual, Alternative, and Community Onsite Wastewater Systems -  
Discharge Prohibitions

4.8.5.1 - Land Disturbance Prohibitions

5.3.1 (item 2) - Regional Water Quality Control Board Management Principles -  
General

5.4.1 - Discharge Prohibitions - All Waters

5.4.1.1 - Discharge Prohibitions - All Waters -Toxic or Hazardous Pollutants

5.4.2 - Discharge Prohibitions - Inland Waters

5.4.2.1 - Discharge Prohibitions - Inland Waters - Domestic Animal Waste  
Discharge Prohibition

5.4.2.2 - Discharge Prohibitions - Inland Waters - Human Fecal Material  
Discharge Prohibition

5.4.3 - Discharge Prohibitions - Waters Subject to Tidal Action

5.4.3.1 - Discharge Prohibitions - Waters Subject to Tidal Action - Areas of Special Biological Significance

5.4.4 - Discharge Prohibitions - Groundwaters

5.4.5 - Discharge Prohibitions - Other Specific Prohibition Subjects

### **3.2 Revise typos in Enforcement Actions section (amend section 4.5.1.6 of the Basin Plan - editorial)**

#### **3.2.1 Discussion**

Editorial revisions to section 4.5.1.6 are necessary to correct typos and simplify language used. Typos corrected include the following:

- The 2019 Basin Plan refers to a “Cleanup or Abatement Order”; this proposed amendment would correct this typo to accurately state “Cleanup and Abatement Order”.
- In this same paragraph, a hyphen should be inserted between “Porter” and “Cologne” correcting “California Porter Cologne Water Quality Control Act” to “California Porter-Cologne Water Quality Control Act”.

In addition, amendments to language to simplify and clarify that the Regional Water Board or its delegee (typically the Executive Officer) may issue a Cleanup and Abatement Order. Other amendments to this section simplify and clarify the language.

#### **3.2.2 Proposed Basin Plan Amendment**

This section shows the proposed Basin Plan amendments in **red** font. Removed text is shown in **strikeout**; new text is shown with an **underline**.

Amend section 4.5.1.6 as follows:

##### **4.5.1.6 Enforcement Actions**

To facilitate water quality problem remediation or Basin Plan violation remediation, the Regional Board can use different types of enforcement measures. These measures can include:

##### Notice of Violation

A Notice of Violation is a letter formally advising the discharger that the facility is in noncompliance and that additional enforcement actions may be necessary, if appropriate actions are not taken.

##### Time Schedule

A Time Schedule (California Porter-Cologne Water Quality Control Act Section 13300) is a time schedule for specific actions a discharger shall take to correct or prevent violations of requirements. A Time Schedule is issued by the Regional Board for situations in which the Regional Board is reasonably confident that the problem will be corrected.

##### Cleanup ~~or and~~ Abatement Order

A Cleanup ~~or-and~~ Abatement Order (California Porter-Cologne Water Quality Control Act Section 13304) is an order requiring a discharger to clean up a waste or abate its effects or, in the case of a threatened pollution or nuisance, take other necessary remedial action. A Cleanup ~~or-and~~ Abatement Order can be issued by the Regional Board or by ~~the Regional Board Executive Officer its~~ delegee. Cleanup ~~or-and~~ Abatement Orders are issued ~~for situations~~ when action is needed to correct a problem caused by regulated or unregulated discharges which are creating or threatening to create a condition of pollution or nuisance. A-The Regional Board establishes the acceptable level of cleanup in the Cleanup ~~or-and~~ Abatement Order ~~is also used by the Regional Board to establish the acceptable level of cleanup.~~

### **3.3 Amend the existing Land Disturbance Prohibition (amend section 4.8.5.1 of the Basin Plan)**

#### **3.3.1 Discussion**

Section 4.8.5.1 of the 2019 Central Coast Region Basin Plan contains *Land Disturbance Prohibitions*, and the first paragraph of this section reads as follows:

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Additional changes to the existing prohibition are needed to clarify the applicability of the prohibition. The proposed amendments to this prohibition do not change the intent of the original prohibition; to prohibit any unauthorized soil disturbance activities that will have adverse environmental effects or cause nuisance. Specifically, the proposed amendments will clarify the following:

- The land disturbance prohibition applies only to unauthorized discharges or discharges that are not exempt from regulation as provided by the Basin Plan.
  - The proposed amendment adds the words “unless authorized or exempt” to the land disturbance prohibition. Potential exemptions include those described in the Regional Water Quality Control Board Management Principles in Chapter Five (section 5.3). Additionally, a discharger complying with a Regional Water Board or State Water Board order regulating the discharge is not subject to the prohibition.
- The land disturbance prohibition applies to all waters of the State within the Central Coast Region.
  - The proposed amendment replaces the phrase “any stream in the basin” with the phrase “waters of the State”, clarifying that this land disturbance

prohibition applies to many waterbody types including streams, rivers, estuaries, lakes, and wetlands<sup>2</sup>.

- The land disturbance prohibition applies to all soil disturbance activities as is evident by the phrase "...and other soil disturbance activities" in the existing prohibition. Therefore, language identifying specific activities such as timber harvesting and construction is not necessary and the proposed amendment removes these specific activities.
- The proposed amendment deletes the language "in violation of best management practices" because best management practices are implemented through permits or other orders issued by the Regional Water Board or State Water Board, or through management agency agreements (see 2019 Basin Plan section 5.3.6 (item 7)). A discharger that complies with such an order regulating the discharge or complies with a management agency agreement without causing, or threatening to cause, a condition of pollution or nuisance is not subject to the prohibition.

Section 4.8.5.1 of the 2019 Central Coast Region Basin Plan also contains discussion of specific exemptions to the *Land Disturbance Prohibitions*, as follows:

Soil disturbance activities not exempted pursuant to Regional Board Management Principles contained in Chapter Five (section 5.3) are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with a Farm Conservation or Farm Management Plan approved by a Resource Conservation District or the USDA Soil Conservation Service; ...

The exemptions for agricultural activities in bullets 2 and 3a shown above are no longer appropriate and should be deleted because they are superseded. Soil disturbance activities associated with agricultural operations are known to cause and contribute to beneficial use impairment, and General Waste Discharge Requirements for Discharges from Irrigated Lands, [Order No. R3-2021-0040](#), (Agricultural Order 4.0) includes requirements for dischargers to develop, implement, and update as necessary a Farm Water Quality Management Plan that incorporates a Sediment and Erosion

---

<sup>2</sup> Certain wetlands are waters of the State, as set forth in the State Water Board's [State Wetland Definition and Procedures for Discharges of Dredge or Fill Materials to Waters of the State](#). The *Procedures* set a framework for determining whether a feature that meets the wetland definition is a water of the State. This proposed amendment applies to waters of the State.

Management Plan to ensure that management practices are in place to prevent erosion, reduce stormwater runoff quantity and velocity, and hold fine particles in place.

Documented examples that demonstrate agricultural related land disturbance impairments are as follows:

- Many surface waterbodies in agricultural dominated landscapes are on the federal Clean Water Act section 303(d) List of impaired waters for sedimentation and/or turbidity.
- Multiple Total Maximum Daily Load (TMDL) projects identify irrigated agriculture activities as a source of these impairments. As an example of the severity of the turbidity impairments in agricultural areas, 55 waterbodies are on the 2014-2016 303(d) List due to elevated turbidity and 78% of those are in the agriculturally influenced areas of the lower Salinas River, Gabilan Creek/Tembladero Slough, lower Santa Maria River, and Pajaro River watersheds.
- The findings associated with the Agricultural Order 4.0 ([Order No. R3-2021-0040, Attachment A-Findings](#), see findings 119-123, reproduced in their entirety in Appendix 1 – see section 6.1 of this report) summarize data, water quality monitoring reports, and TMDL project reports that document elevated dry season turbidity in waters of the State located in agricultural areas compared to healthy dry season turbidity levels in non-agricultural areas. The findings also summarize beneficial use impairment and agricultural sources of turbidity.
- The exemption for “agriculture activities” on slopes over 30% (2019 Basin Plan section 4.8.5.1 (item 2)) should be removed given that irrigated agriculture is now regulated under Agricultural Order 4.0, and the Order does not provide exemption for percent slope. Water quality data and increasing number of complaints documenting impacts from agriculture, particularly with respect to runoff from slopes, in the Central Coast Region (see Ag Order 4.0 findings 135, 136, 139, and 159 reproduced in their entirety in Appendix 1 – see section 6.1 of this report). Specifically, the findings make the following points:
  - Finding 135 states that literature sources and increasing complaints received by the Central Coast Water Board provide evidence of increased surface runoff, erosion, and sedimentation resulting from impermeable surface cover on sloped lands.
  - Finding 136 documents that the Resource Conservation District noted that surface runoff rates would likely be higher for land sloped above 5%.
  - Finding 139 summarizes complaints of severe surface runoff, erosion, and sedimentation from two berry growing operations in the Elkhorn Slough watershed with slopes under 10%. California Department of Fish and Wildlife staff estimated that one of these operations discharged and estimated 5,000 cubic yards of sediment into the Slough in a single storm event.
  - Finding 156 states that most of the irrigated agricultural lands in the Central Coast Region are in areas with slopes less than ten percent.

Therefore, the following proposed amendments are needed to address impairments due to irrigated agriculture land disturbance activities and to align sediment and erosion control due to land disturbance activities from irrigated agriculture with the requirements of Agricultural Order 4.0 or subsequent orders regulating the discharge of waste from irrigated agriculture:

- In section 4.8.5.1
  - Amend item two (2) – strike the phrase “excluding agricultural activities”, and
  - Amend to strike item three a (3.a) in its entirety.
- In section 5.3.6
  - Amend to delete item six (6). Note, this change is reflected in section 3.5 of this document.

These changes are justified by California Water Code section 13243, which authorizes a regional board, in a water quality control plan, to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

In addition, editorial amendments proposed for this section improve clarity for the reader and include the following:

- Amend to improve the accuracy and clarity of the reference to the Basin Plan section titled *Regional Water Quality Control Board Management Principles* and add the Basin Plan section number (add “section 5.3”),
- Amend to clarify that the last part of this section is specific to the Pajaro River Watershed. Add heading “Pajaro River Watershed” above relevant text, and
- Amend to clarify which TMDL project the text is referencing. Add “for sediment in the Pajaro River (see section 4.9.6)”

### 3.3.2 Proposed Basin Plan Amendment:

This section shows the proposed Basin Plan amendments in **red** font. Removed text is shown in **strikeout**; new text is shown with an **underline**.

Amend section 4.8.5.1 of the Basin Plan as follows:

#### 4.8.5.1 Land Disturbance Prohibitions

Unless authorized or exempt, the ~~The~~ discharge or threatened discharge of sand-soil, silt, clay, bark, slash, sawdust, or other organic or-and earthen materials into any -stream-in-the-basin-waters-of-the-State-in-violation-of-best-management-practices-for-timber-harvesting-construction-and-other-from soil disturbance activities ~~and~~ in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Unless authorized or exempt, The placing or disposal of sand-soil, silt, clay, bark, slash, sawdust, or other organic or-and earthen materials from timber harvesting-construction-and-other soil disturbance activities at locations above the anticipated high water line of any stream-in-the-basin-waters-of-the-State

where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Water Quality Control Board Management Principles contained in Chapter Five (section 5.3) are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent ~~(excluding agricultural activities)~~, and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

~~a. In the case of agriculture, operations comply with a Farm Conservation or Farm Management Plan approved by a Resource Conservation District or the USDA Soil Conservation Service;~~

~~a.b.~~ In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

~~b.c.~~ There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

### Pajaro River Watershed

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature into waters of the State within the Pajaro River watershed is prohibited.

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature to a location where such material could pass into waters of the State within the Pajaro River watershed is prohibited.

The above two prohibitions do not apply to any discharge regulated by National Pollutant Discharge Elimination System permits, Waste Discharge Requirements or waivers of Waste Discharge Requirements.

The above two prohibitions do not apply to any grazing, farm animal and livestock, hydromodification, or road activity if the owner or operator:

- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, May 20, 2004, that is approved by the Executive Officer, or
- ii. Demonstrates there is no activity that may cause soil, silt, or earthen material to pass into waters of the ~~State-state~~ within the Pajaro River watershed, as approved by the Executive Officer.

This Land Disturbance Prohibition takes effect three years following approval of the TMDL for sediment in the Pajaro River watershed (see section 4.9.6) by the U.S. Environmental Protection Agency.

### **3.4 Consolidate existing domestic animal waste prohibitions (amend sections 4.8.5.6, 4.9.7, 5.4.2.1, and 5.4.5 of the Basin Plan - editorial)**

#### **3.4.1 Discussion**

Currently, there are three areas in the Basin Plan that contain site-specific prohibitions on domestic animal waste or livestock waste discharges:

1. Section 4.8.5.6 Watsonville Slough Watershed Livestock Waste Discharge Prohibition
2. Section 5.4.2.1 Domestic Animal Waste Discharge Prohibition
3. Section 5.4.5 Other Specific Prohibition Subjects

These sections should be consolidated by amending the Basin Plan to delete section 4.8.5.6 entirely and amend section 5.4.2.1 to include the “Watsonville Slough watershed” and the exemptions to the prohibition described in section 4.8.5.6. The mention of *Watsonville Slough Watershed Livestock Waste Discharge Prohibition* should also be deleted from section 5.4.5.

In addition, the *Watsonville Slough Watershed Livestock Waste Discharge Prohibition* is mentioned in section 4.9.7 of the Basin Plan, titled *TMDL for Pathogens in Watsonville Slough*. This section should be amended to make the phrasing for the title of the prohibition consistent with section 5.4.2.1 (i.e., change “*Watsonville Slough Watershed Livestock Waste Discharge Prohibition*” to “*Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition*.”

For the purposes of prohibiting animal waste discharges from entering waters of the State, the *Domestic Animal Waste Discharge Prohibition* (2019 Basin Plan section 5.4.2.1) applies to all types of animals referred to as “livestock” as defined in the *Watsonville Slough Watershed Livestock Waste Discharge Prohibition* (2019 Basin

Plan section 4.8.5.6). The relevant language from each section of the 2019 Basin is reproduced below.

Section 5.4.2.1, titled *Domestic Animal Waste Discharge Prohibition* defines domestic waste discharges as follows:

Discharges containing fecal material from domestic animals to the waters of the State that cause or contribute to exceedance of water quality objectives in the areas listed below are prohibited. Examples of domestic animals include, but are not limited to, horses, cattle, goats, sheep, dogs, cats or any other animal(s) in the care of any person(s).

Section 4.8.5.6, titled *Watsonville Slough Watershed Livestock Waste Discharge Prohibition* defines the prohibitions applicability as follows:

The direct or indirect discharge of livestock animal waste from any grazing operations, non-sterile manure application, farm animal and livestock facilities including paddocks, pens, corrals, barns, sheds, or other activity of whatever nature into waters of the State within the Watsonville Slough Watershed is prohibited.

### 3.4.2 Proposed Basin Plan Amendment:

This section shows the proposed Basin Plan amendments in red font. Removed text is shown in ~~strikeout~~; new text is shown with an underline.

Amend section 4.8.5.6 of the Basin Plan as follows:

#### **4.8.5.6 Watsonville Slough Watershed Livestock Waste Discharge Prohibition**

~~1. The direct or indirect discharge of livestock animal waste from any grazing operations, non-sterile manure application, farm animal and livestock facilities including paddocks, pens, corrals, barns, sheds, or other activity of whatever nature into waters of the State within the Watsonville Slough Watershed is prohibited.~~

~~The above prohibition does not apply to any farm animal or livestock facility and/or any facility where non-sterile manure is applied if the owner or operator:~~

- ~~i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, that is approved by the Executive Officer, or~~
- ~~ii. Demonstrates to the satisfaction of the Executive Officer that its activities do not cause livestock waste to pass into waters of the state within the Watsonville Slough Watershed, or~~

- iii. ~~Is regulated under Waste Discharge Requirements or an NPDES permit, or a conditional waiver of waste discharge requirements that explicitly addresses compliance with the Watsonville Slough TMDL for Pathogens.~~

~~This Livestock Waste Discharge Prohibition takes effect two years following approval of the TMDL by the U.S. Environmental Protection Agency.~~

Amend section 5.4.2.1 of the Basin Plan as follows:

**5.4.2.1 Domestic Animal Waste Discharge Prohibition**

Discharges containing fecal material from domestic animals to ~~the~~ waters of the State that cause or contribute to exceedance~~s~~ of water quality objectives in the areas listed below are prohibited. Examples of domestic animals include, but are not limited to, horses, cattle, goats, sheep, dogs, cats or any other animal(s) in the care of any person(s).

1. Pajaro River Watershed.
2. Soquel Lagoon Watershed.
3. Aptos Creek Watershed.
4. San Lorenzo River Watershed.
5. Corralitos/Salsipuedes Creek Watershed.
6. Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor).
7. Santa Maria River Watershed (including Oso Flaco Creek subwatershed).
8. Watsonville Slough Watershed

For the Watsonville Slough watershed, the above prohibition does not apply to any farm animal or livestock facility and/or any facility where non-sterile manure is applied if the owner or operator:

- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, that is approved by the Executive Officer, or
- ii. Demonstrates to the satisfaction of the Executive Officer that its activities do not cause livestock waste to pass into waters of the State within the Watsonville Slough Watershed, or

- iii. Is regulated under Waste Discharge Requirements or an NPDES permit, or a conditional waiver of waste discharge requirements that explicitly addresses compliance with the Watsonville Slough TMDL for Pathogens.

Amend section 5.4.5 of the Basin Plan as follows:

#### **5.4.5 Other Specific Prohibition Subjects**

...

Solid Waste Discharge Prohibitions

~~Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~

Amend section 4.9.7 of the Basin Plan as follows:

#### **4.9.7 TMDL for Pathogens in Watsonville Slough**

...

The Following Actions Will Reduce Fecal Coliform Bacteria Loading From Livestock And Land-Applied Non-Sterile Manure:

##### Livestock Sources

Operators or owners of livestock facilities and animals must comply with the ~~proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~ Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition to implement their load allocations. Within one year following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify the owners and operators of livestock facilities, and the owners of animals, of the ~~proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~ Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program) or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the California Water Code, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition. Alternatively, dischargers may comply by immediately ceasing all discharges in violation of the Prohibition.

Responsible parties must submit monitoring data or other evidence that demonstrates compliance with the ~~Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~ Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition. The Executive Officer will determine whether the information submitted demonstrates compliance.

#### Irrigated Land Sources

Operators or owners of irrigated lands where non-sterile manure is applied must comply with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands to implement their load allocations. Staff expects management measures implemented pursuant to this waiver for irrigated lands will be adequate to reduce or eliminate pathogen discharges where farmers apply non-sterile manure to the land. However, compliance with the conditions in the waiver does not meet all of the requirements of the ~~proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~ Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition. Since the Conditional Waiver does not include any regulation or monitoring of pathogen discharges, operators or owners of irrigated lands where non-sterile manure is applied must also submit reports that demonstrate that they do not discharge pathogens, or explain how pathogen discharges are being addressed.

Within six months following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify responsible parties of the ~~proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~ Watsonville Slough Watershed Domestic Animal Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will ...

### **3.5 Remove exemption for agricultural operations from regulation of sediment discharges (amend section 5.3.6 of the Basin Plan)**

#### **3.5.1 Discussion**

On April 15, 2021, the Central Coast Water Board adopted Agricultural Order 4.0, which regulates discharges from agricultural operations and includes requirements to minimize the presence of bare soil and to implement erosion controls, among other requirements (see Agricultural Order 4.0, page 44, paragraph number 13). Soil disturbance activities associated with agricultural operations are known to cause and contribute to beneficial use impairment, as documented in the findings associated with this Order (see Agricultural Order 4.0 findings 119-123, reproduced in their entirety in Appendix 1 – section 6.1 of this report). These findings summarize data, water quality monitoring reports, and TMDL project reports that document elevated dry season turbidity, beneficial use impairment, and agricultural sources of turbidity. Additionally, the Agricultural Order 4.0 regulates sediment and erosion control associated with irrigated lands disturbance activities pursuant to the requirement to incorporate a sediment and erosion control management plan in the Farm Water Quality Management Plan. Therefore, item six in section 5.3.6 of the Basin Plan is no longer appropriate, is superseded by Agricultural Order 4.0, and therefore should be deleted.

#### **3.5.2 Proposed Basin Plan Amendment:**

Amend section 5.3.6 of the Basin Plan as follows:

### **5.3.6 Erosion and Sedimentation Control**

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.
- ~~6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.~~
- ~~7~~6. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

### 3.6 Establish prohibitions on specific unauthorized discharges to waters of the State (amend sections 5.4, 5.4.1, and 5.4.2 of the Basin Plan)

#### 3.6.1 Discussion

The principal means of regulating activities that affect water quality, and the principal means of implementing the Basin Plan, is through the issuance of waste discharge requirements (WDRs). Any person discharging waste or proposing to discharge waste that could affect the quality of waters of the State must submit to the regional water board a *report of waste discharge* containing information required by the regional water board (California Water Code section 13260), unless the regional water board waives the filing of such a report (California Water Code section 13269). Similarly, no person shall initiate any new discharge of waste prior to filing that report, or after filing that report and before the regional water board issues WDRs or other qualifying action (California Water Code section 13264).

Furthermore, regional water boards have the authority to specify, in their basin plans, discharge prohibitions (i.e., conditions or areas where the discharge of waste is not permitted):

California Water Code section 13243. [Discharge of waste]

A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (*Added by Stats. 1969, Ch. 482.*).

Discharge prohibitions may be adopted for point source discharges to surface waters or groundwater as well as for nonpoint sources, such as surface runoff or discharges of waste to land (see 58 Ops. Cal. Atty. Gen. 531, 532 (1975)). Under California Water Code section 13243, the Central Coast Water Board has previously established discharge prohibitions in the Basin Plan to protect public health, achieve water quality objectives, and protect surface water and groundwater beneficial uses.

The Central Coast Water Board has observed and has received multiple complaints regarding unauthorized discharges of sediment, well development water, and construction dewatering water that have affected the quality of waters of the State. Specific prohibitions of these types of waste discharges are needed to protect waters of the State.

The proposed amendments to the Central Coast Region Basin Plan will prohibit the unauthorized discharge of additional specific types of waste to waters of the State. Each of the proposed new prohibitions for a specific type of waste is needed to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance. In the absence of a prohibition, enforcement actions against dischargers for failing to submit a report of waste discharge do not account for the entire period of discharge; these enforcement actions only impose liability for the time the discharge occurred after the discharger failed to

file a report of waste discharge and has received notice of that failure. Additionally, these prohibitions address the many illicit discharges that would not be approved due to their impacts to beneficial uses, regardless of whether the discharger intended to file a report of waste discharge. Therefore, the following amendments are proposed to clarify and add prohibitions for specific types of waste:

- Amend introductory text of section 5.4 of the Basin Plan to include language regarding the authority to establish prohibitions and to whom prohibitions apply.
- Amend section 5.4.1 of the Basin Plan to add prohibitions on specific types of discharges to all waters of the State within the Central Coast Region.

In addition, staff proposes to amend section 5.4.2 to clarify that the phrases “surface waters” and “inland waters” are “inland surface waters of the State”.

### **3.6.2 Proposed Basin Plan Amendments**

This section shows the proposed Basin Plan amendments in **red** font. Removed text is shown in **strikeout**; new text is shown with an **underline**.

Amend section 5.4 of the Basin Plan as follows:

#### **5.4 Discharge Prohibitions**

Due to unique cultural, scenic, aesthetic, historical, scientific, and ecological values of the Central Coastal Basin, and the necessity to protect the public health and the desire to achieve water quality objectives, the Regional Water Quality Control Board has established certain discharge prohibitions.

California Water Code section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is prohibited. The following discharge prohibitions are applicable to any person, as defined by section 13050(c) of the California Water Code, including but not limited to, any city, county, district, the state, and the United States, to the extent authorized by federal law, whose activities in California could affect the quality of waters of the State within the boundaries of the Central Coastal Basin.

Amend section 5.4.1 of the Basin Plan as follows:

#### **5.4.1 All Waters**

1. Waste discharges shall not contain materials in concentrations which are hazardous to human, plant, animal, or aquatic life.

2. The discharge of oil or any residual products of petroleum to the waters of the State, except in accordance with waste discharge requirements or other provisions of Division 7 of the California Water Code, is prohibited.
3. Discharge of elevated temperature wastes into COLD intrastate waters is prohibited where it may cause the natural temperature of the receiving water to exceed limits specified in Chapter Three, Water Quality Objectives.
4. Unless authorized or exempt, the discharge of sediment, well development water, or construction dewatering water, to waters of the State in a manner causing or threatening to cause a condition of pollution, contamination, or nuisance is prohibited.
5. Any discharge to a stormwater conveyance system that is not composed entirely of stormwater is prohibited unless authorized by the Regional Board. [Federal regulations, 40 CFR section 122.26(b)(13), define stormwater as stormwater runoff, snow melt runoff, and surface runoff and drainage. 40 CFR section 122.26(b)(2) defines an illicit discharge as any discharge to a stormwater conveyance system that is not composed entirely of stormwater except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.]
6. Unless authorized, the discharge of treated or untreated sewage to waters of the State or to a stormwater conveyance system is prohibited.

Amend section 5.4.2 of the Basin Plan as follows:

#### **5.4.2 Inland Waters**

Wastes discharged to inland surface waters of the State shall be essentially free of toxic substances, grease, oil, and phenolic compounds.

Unless authorized, ~~W~~aste discharges to the following inland surface waters of the State are prohibited:

1. All surface fresh water impoundments and their immediate tributaries.
2. All surface waters within the San Lorenzo Hydrologic Subarea, the Aptos-Soquel Hydrologic Subarea, and the San Antonio Hydrologic Unit and all water contact recreation areas except where benefits can be realized from direct discharge of reclaimed water.
3. All deadend sloughs receiving little flushing action from land drainage or natural runoff.
4. All coastal surface streams and natural drainageways that flow directly to the ocean within the Big Basin, Santa Lucia, Estero Bay (from the Monterey

County line to the northern boundary of San Luis Obispo Creek drainage), and the South Coast Hydrologic Units except where discharge is associated with an approved wastewater reclamation program.

5. The Santa Maria River downstream from the Highway One bridge.
6. The Santa Ynez River downstream from the saltwater barrier.

### **3.7 Add a map of the Monterey Bay Prohibition Zone (amend section 5.4.3 of the Basin Plan - editorial)**

#### **3.7.1 Discussion**

The Monterey Bay Prohibition Zone was originally added to the Interim Basin Plan in 1974 via Resolution No. R3-1974-0001. Weak ocean currents and sluggish circulation were causing waste parameters to accumulate in the northern and southern extremities of Monterey Bay. The prohibition zone was established to reduce the accumulation of ammonia, nutrients, and bacteria in those areas.

Basin Plan section 5.4.3 describes the areal extent of the Monterey Bay Prohibition Zone, where waste discharges are prohibited. This prohibition zone is also mentioned in section 4.6.2.5, which describes the Salinas River Hydrologic Unit.

Basin Plan section 5.6.2. identifies Central Coast Water Board Resolution No. R3-79-06, which concerned a petition to delete the Southern Monterey Bay Discharge Prohibition Zone from the Basin Plan. The Central Coast Water Board resolved that (1) establishment of the prohibition zone was appropriate, (2) data since the 1974 Basin Plan prohibition adoption supported the discharge prohibition, and (3) amendment of the Basin Plan with respect to the discharge prohibition zone was not warranted. Basin Plan Appendix A-20 contains the full text of Resolution No. R3-79-06.

A map of this prohibition zone is needed to help visualize the areal extent of the described Monterey Bay Prohibition Zone. The proposed amendments includes the following:

- adding clarifying language to section 5.4.3 of the Basin Plan;
- revising the format of geographic coordinates; and
- adding a map to the end of this section (map will become figure 5-1 of the Basin Plan).

#### **3.7.2 Proposed Basin Plan Amendment:**

This section shows the proposed Basin Plan amendments in **red** font. Removed text is shown in ~~strikeout~~; new text is shown with an underline.

Amend section 5.4.3 of the Basin Plan as follows:

### 5.4.3 Waters Subject to Tidal Action

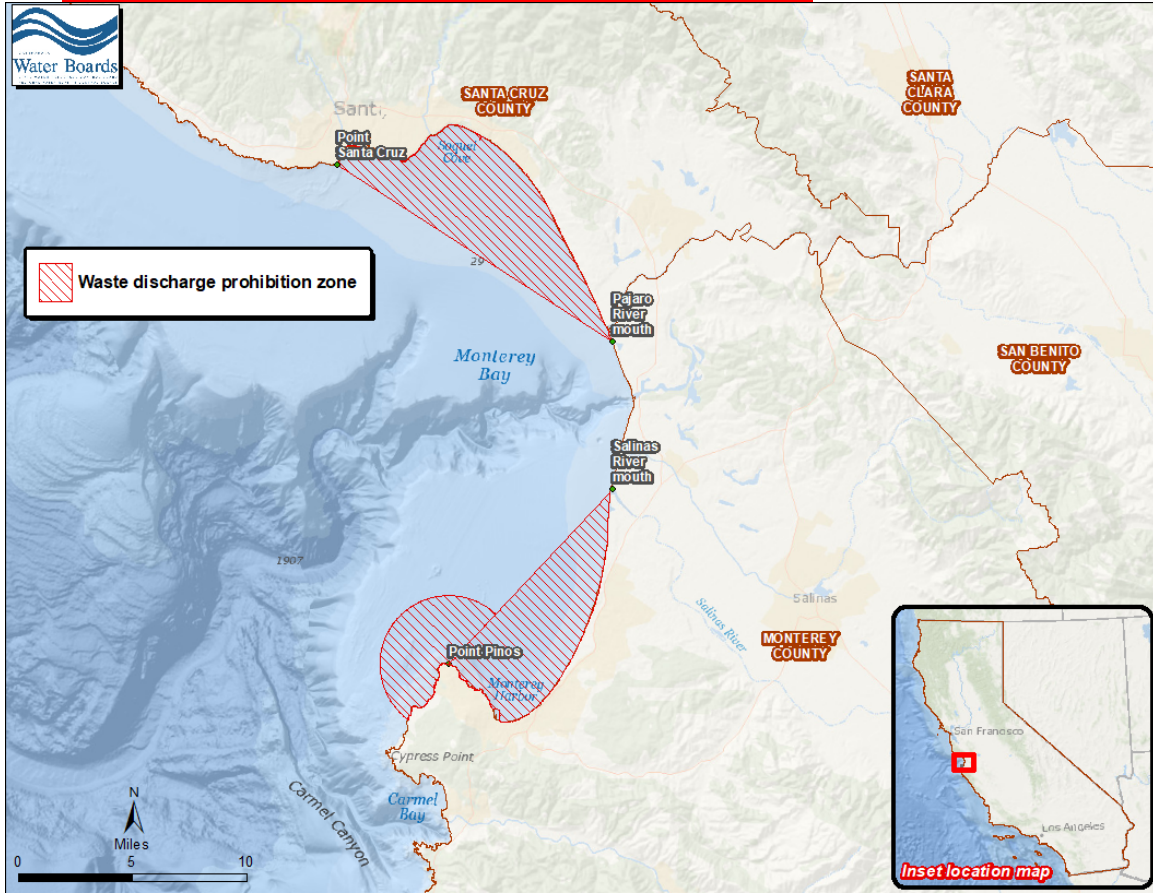
The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste into the ocean is prohibited.

Waste discharges to the following Monterey Bay Prohibition Zone areas (Figure 5-1) are prohibited.

1. In the northern extreme of Monterey Bay, inshore from an imaginary line extending from Santa Cruz Point (36.95134, -122.026351 ~~36° 57.0'N, 122° 04.5'W~~) to the mouth of the Pajaro River (36.842587, -121.805719 ~~36° 51.0'N, 121° 48.6'W~~) and in ocean waters within a three (3) mile radius of Point Piñ~~os~~os (36.636975, -121.930424 ~~36° 38.3'N, 121° 56.0'W~~), excepting the area described in No. 2 below.
2. In the southern extreme of Monterey Bay, inshore from an imaginary line extending from Point Piñ~~os~~os (36.636975, -121.930424 ~~36° 38.3'N, 121° 56.0'W~~) to the mouth of the Salinas River (36.749402, -121.803562 ~~36° 44.9'N, 121° 48.3'W~~).

Discharges to the Monterey Bay Prohibition Zone from desalinization units and circulating seawater system discharges may be permitted after each proposal satisfies California Environmental Quality Act requirements and completes the National Pollutant Discharge Elimination System process.

**Figure 5-1. Monterey Bay Prohibition Zone Areas.**



### **3.8 Add relevant section numbers to the specific prohibition subjects (amend section 5.4.5 of the Basin Plan – editorial)**

#### **3.8.1 Discussion**

Section 5.4.5 should be amended to add references to the appropriate section of the Basin Plan for each of the prohibitions listed and to clarify that all of these prohibitions are found in Chapter 4 of the Basin Plan.

In addition, the *Watsonville Slough Watershed Livestock Waste Discharge Prohibition* should be removed from this section because, with these proposed amendments, it is consolidated with other domestic animal waste discharge prohibitions in section 5.4.2.1 of the Basin Plan. This amendment is discussed in section 3.4 of this document.

#### **3.8.2 Proposed Basin Plan Amendment**

Amend section 5.4.5 of the Basin Plan as follows:

##### **5.4.5 Other Specific Prohibition Subjects**

Other prohibitions exist that pertain to the following topics. These prohibitions can be found in the following sections under the respective heading in the Chapter Four Implementation Plan:-

Mushroom Farms Operation Prohibitions (section 4.8.3.5.6):

Individual, Alternative, and Community Sewage Disposal Systems

Prohibitions (section 4.8.4.2):

Land Disturbance Prohibitions (section 4.8.5.1); and

Solid Waste Discharge Prohibitions (section 4.6.4.1).

~~Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~

## 4 Environmental Analysis

This section presents the regulatory analyses required under the CEQA when the Central Coast Water Board adopts a Basin Plan amendment under the State Water Board's certified regulatory program (California Public Resources Code section 15251[g]).

A CEQA scoping meeting for this project was held on November 15, 2018. Section 3775.5 of the CCR, title 23, describes the purpose of a CEQA scoping meeting for exempt regulatory programs, including Basin Plan amendments. The purpose of this scoping document and the public scoping process is to seek early input from public agencies and members of the public on the environmental analysis for the proposed project.

The California Public Resources Code section 21159.4 requires a state agency to perform an environmental analysis of the reasonably foreseeable methods of compliance, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement. In this case, the proposed Basin Plan amendment does not require the installation of pollution control equipment, or compliance with a performance standard or treatment requirement. No implementation plan is proposed, because no actions are required to comply with the proposed Basin Plan amendments. Thus, these amendments would have no environmental or economic impacts.

The Central Coast Water Board is the lead agency for evaluating the environmental impacts of Basin Plan amendments pursuant to CEQA. In compliance with the State Water Board's CEQA implementation guidelines, the Central Coast Water Board prepared the required environmental documents, which include a written report (this project report) and an Environmental Checklist Form (Appendix 3 in section 6.3 of this report). The project report discloses any potentially significant environmental impacts of the reasonably foreseeable methods of compliance with the Basin Plan

amendments. This project report, including the CEQA checklist and these analyses, constitute a part of the substitute environmental document under CEQA.

As shown in the Environmental Checklist Form (Appendix 3 in section 6.3 of this report), there are no potentially significant adverse environmental impacts from the implementation of these Basin Plan amendments. Therefore, an analysis of alternatives is not needed to lessen or mitigate impacts. The finding of no environmental impacts is because these amendments will not result in any physical change, nor will it affect any other plan, regulation, or policy.

The proposed amendments also make non-substantive editorial revisions to the Basin Plan to improve clarity. Because these changes are solely clarifications of the Basin Plan, there are no potentially significant environmental or economic impacts associated with compliance with these revisions.

Lastly, the Central Coast Water Board must, when feasible, avoid or mitigate damaging effects to tribal cultural resources. California Assembly Bill No. 52 (AB 52) established a new category of resources in the California Environmental Quality Act called Tribal Cultural Resources (Public Resources Code, section 21074). The proposed Basin Plan amendments will not cause a substantial adverse change in the significance of a tribal cultural resource.

## 5 References

Central Coast Regional Water Quality Control Board. 2019. *Water Quality Control Plan for the Central Coastal Basin, June 2019 Edition*. California Environmental Protection Agency.  
[http://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/index.shtml)

## 6 Appendices

### 6.1 Appendix 1 - Findings from Agricultural Order 4.0 (Order No. R3-2021-0040 – Attachment A)

The following findings are reproduced in their entirety from the General Waste Discharge Requirements for Discharges from Irrigated Lands Order No. R3-2021-0040 – Attachment A. Findings. The California Regional Water Quality Control Board, Central Coast Region adopted this Order on April 15, 2021.

#### **Findings 119-123 on pages 195-196 of Order No. R3-2021-0040 – Attachment A:**

119. Most CCAMP sites outside of agricultural areas have a median turbidity value less than 5 NTU (CCAMP, 2010a).

120. Agricultural discharges cause and contribute to sustained turbidity<sup>31</sup> throughout the dry season at many sampling sites dominated by agricultural activities. Resulting turbidity greatly exceeds levels that impact the ability of salmonids to feed. Many of these sites are located in the lower Santa Maria and Salinas-Tembladero watersheds. The CMP detected some increasing trends in turbidity on the main stem of the Salinas River (CCRWQCB, 2009a; CCAMP, 2010a; CCWQP, 2009a).

121. Agricultural land use practices, such as removal of vegetation and stream channelization, and discharges from agricultural fields (including but not limited to surface runoff, tile drains, and agricultural drainage pumps), can cause erosion, turbidity, and the deposition of fine sediment and sand over stream bottom substrate. This problem is especially prevalent in areas dominated by agricultural activity (lower Salinas and Santa Maria rivers) (CCWQP, 2009b; CCWQP, 2009c, CCWQP, 2009d; CCWQP, 2009e; CCAMP, 2010a). This deposition of fine sediment and sand in streams causes major degradation of aquatic life beneficial uses by eliminating pools and by clogging gravel where fish eggs, larvae, and benthic invertebrates that serve as a food source typically live (CCAMP, 2010a). Effective erosion control and sediment control management practices include but are not limited to cover crops, filter strips, and furrow alignment to reduce runoff quantity and velocity, hold fine particles in place, and increase filtration to minimize the impacts to water quality (USEPA, 1991).

122. More than 91 percent of all CMP sites monitored from 2005 to 2019 have an average turbidity that exceeds 25 NTU; 75 percent of sites have an average turbidity that exceeds 25 NTU by two-fold or more; 53 percent of sites have an average turbidity that exceeds 25 NTU by four-fold or more. Some of the waterbodies most significantly polluted by elevated turbidity include:

- a. Santa Maria River area (including the Santa Maria River, Bradley Canyon Creek, Orcutt-Solomon Creek, and Oso Flaco Creek);
- b. Salinas River area (including Chualar Creek, Santa Rita Creek, Quail Creek, Salinas Reclamation Canal);

- c. Tembladero Slough system (including Old Salinas River, Espinosa Slough, Gabilan Creek, and Natividad Creek); and
- d. San Antonio Creek.

123. CMP data collected during Agriculture Order 3.0 from 2017 to 2019 show that 72 percent of sites have turbidity values that exceed 25 NTU; 53 percent of sites have an average turbidity value that exceeds 25 NTU by two-fold or more; 44 percent of all CMP sites have an average turbidity value that exceeds 25 NTU by four-fold or more.

**Findings 135 and 136 on page 198 of Order No. R3-2021-0040 – Attachment A:**

135. Literature sources and increasing complaints received by the Central Coast Water Board provide evidence of increased surface runoff, erosion, and sedimentation resulting from impermeable surface cover on sloped lands. Berry operations account for much of the impermeable soil cover in the central coast region; however, other crop types are grown using polyethylene mulch and high tunnels as well.

136. The Resource Conservation District (RCD) of Monterey County characterized typical rates of stormwater runoff and soil erosion under different crop patterns within Pajaro and Salinas valleys. In comparing pasture, row crops, strawberries, and hoop houses on 4% slope, strawberries and hoop houses had the highest peak flows across design storm intensities. Fields partially covered with plastic, including strawberries and hoop houses, had much higher surface runoff rates and this generally caused higher erosion rates. Alternatively, fields with soil conservation practices like minimizing plastic cover, maximizing vegetative cover, and increasing soil organic matter and tillage had reduced erosion and surface runoff to sustainable rates, and in some cases eliminated them all together. Undisturbed soil with perennial pasture allowed water to infiltrate at large quantities, while bare soil and plastic cover substantially increased surface runoff. The RCD noted that surface runoff rates would likely be higher for land sloped above 5% (Monterey County RCD, 2014).

**Finding 139 on page 199 of Order No. R3-2021-0040 – Attachment A:**

139. Complaints identifying the most severe surface runoff, erosion, and sedimentation in the central coast region were for berry operations using impermeable surface cover on sloped lands. These complaints were received during a major storm event in February 2017, from members of the public and the California Department of Fish and Wildlife (CDFW) regarding discharges to Elkhorn Road and into Elkhorn Slough in Monterey County. Upon investigation by Central Coast Water Board staff, the discharges were traced to two berry operations (CCRWQCB, 2018a).

- a. The first operation was located on a parcel that sloped 7.25 percent north to south and 13 percent east to west. The sediment basin was undersized and in need of immediate maintenance, showing evidence of sediment-laden surface runoff. CDFW reported that the operation had not controlled flows of sediment

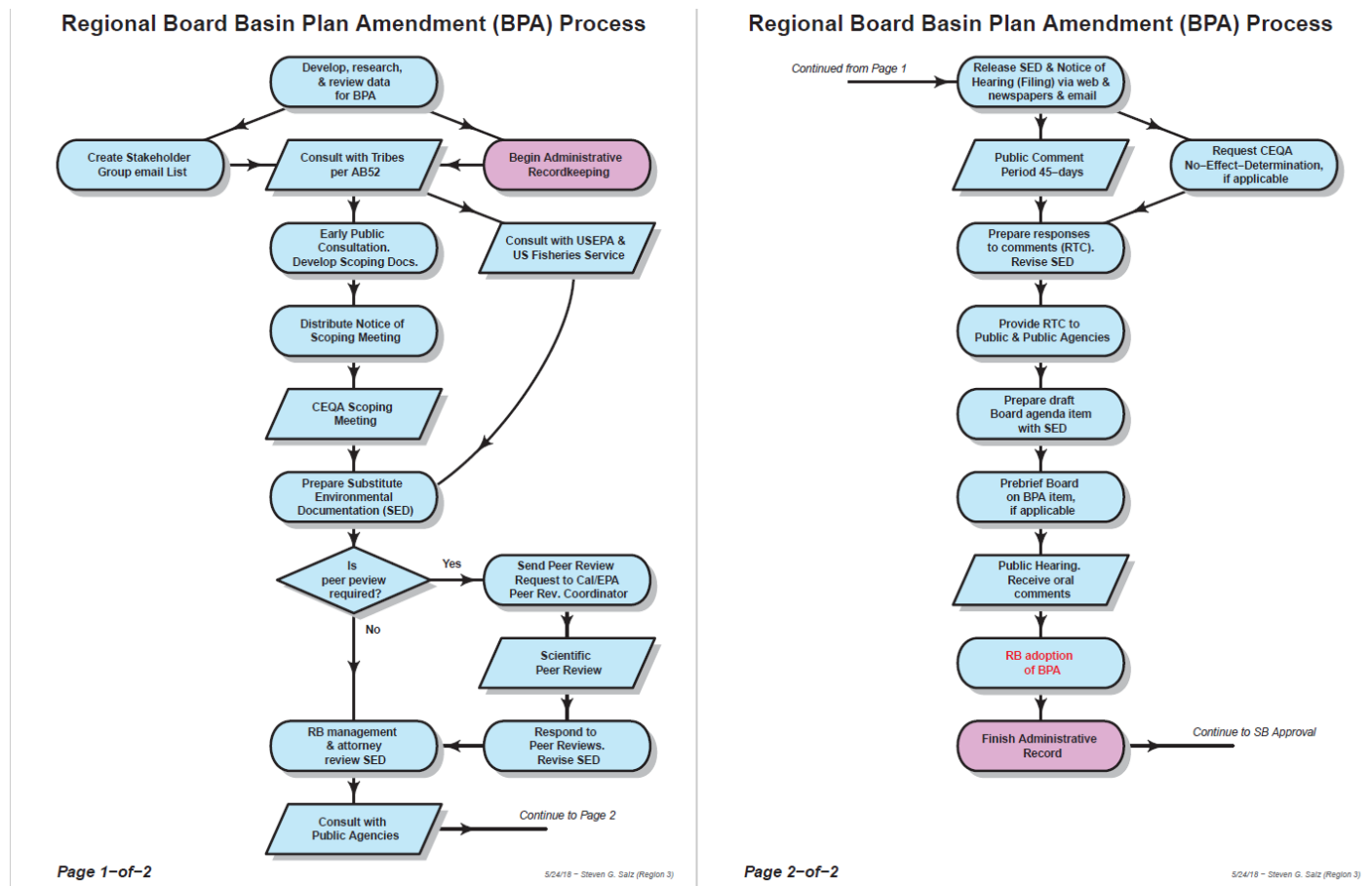
into Elkhorn Slough for many years and estimated that in this one event 5,000 cubic yards of sediment had been discharged into the Slough (CCRWQCB, 2018a).

b. The second operation was located on a parcel that sloped 1.2 percent north to south and 8.6 percent east to west. The sediment basin was improperly designed and in need of immediate maintenance and repair (CCRWQCB, 2018a).

**Finding 156 on pages 202-203 of Order No. R3-2021-0040 – Attachment A:**

156. Other methodologies that exist but were not used include the RipZET tool, monthly visual observations made by CCAMP and CMP field staff, and bioassessments of benthic macroinvertebrates. The RipZET tool (a GIS-based modeling tool) was not used because some required data inputs for the RipZET model are not readily available for the central coast region (e.g., GIS vegetation data is spotty), the hydrologic connectivity module requires LIDAR and roughness information from scientific literature, the hillslope module is not useful since most irrigated agricultural lands in the central coast region are areas with slopes less than ten percent, and the model requires significant staff time to run. The most current CCAMP and CMP field staff visual observations and benthic macroinvertebrate scores (i.e., CSCI scores) collected in accordance with the SWAMP bioassessment methodology are not currently electronically available and there is no date certain when it will become available.

## 6.2 Appendix 2– Regional Water Board Basin Plan Amendment Process Flowchart



## 6.3 Appendix 3- CEQA Environmental Checklist

### CEQA Environmental Checklist

Appendix A to the State Water Board's CEQA regulations  
California Code of Regulations, title 23, division 3, chapter 27, sections 3720-3781

The checklist below is based on the State Water Resources Control Board's CEQA checklist for Exempt Regulatory Programs (23 CCR Appendix A) which became operative on February 18, 2011. This checklist is also consistent with the State CEQA Guidelines checklist for agencies (14 CCR Appendix G) which became operative on December 28, 2018.

### THE PROJECT

1. Project Title:

Amendments to the *Water Quality Control Plan for the Central Coastal Basin* to Improve and Clarify Waste Discharge Prohibition Language.

2. Lead Agency Name and Address:

California Regional Water Quality Control Board, Central Coast Region  
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401.

3. Contact Person and Phone Number:

Mary S. Hamilton, Environmental Program Manager,  
California Regional Water Quality Control Board, Central Coast Region,  
(805) 452-4768,  
[Mary.Hamilton@waterboards.ca.gov](mailto:Mary.Hamilton@waterboards.ca.gov)

4. Project Location:

Central Coast Hydrologic Region (Region 3)

5. Project Description:

This project proposes amending the *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) to improve and/or clarify Basin Plan waste discharge prohibition language. The amendments establish prohibitions on specific unauthorized discharges into all waters of the State, amends an existing land disturbance prohibition, and removes exemptions for discharge types known to cause or contribute to the degradation of water quality that are now regulated (e.g., agriculture). In addition, this amendment makes non-substantive editorial changes to Basin Plan prohibition language by adding a list of all sections of the Basin Plan that contain prohibitions, adding a Monterey Bay prohibition zone map, consolidating existing domestic animal waste prohibitions, and by correcting typos. These non-substantive changes will not have a regulatory effect.

These amendments will improve the effectiveness of water quality protection due to increased clarity and accuracy of language in the Basin Plan. The amendments would not cause a direct or indirect physical change in the environment, now or in the future. The amendments would not change any implementation plans or policies, nor does it create any new governmental program. It would not relax existing standards; require pollution control equipment; or involve construction activities. An Environmental Checklist (below) has been completed as required by the Central Coast Water Board's section 207 Basin Planning Program and the California Environmental Quality Act (Public Resources Code, Division 13, section 21065).

6. CEQA Checklist:

This proposed action would have no direct or indirect impact on the environment, including aquatic and terrestrial wildlife and flora and humans. The “No Impact” box is checked in all the checklist issues. The basis for these responses is contained in this project report.

The CEQA Checklist is a series of questions grouped by subject that identifies different types of potential environmental impacts that a project may cause. CEQA considers what are the existing conditions of the physical project site as a baseline. It then compares how much change will occur to the site if the project is implemented. Based on the CEQA Guidelines, the impact severity is rated on a scale of four impact levels. The four levels are: potentially significant impact, less than significant with mitigation incorporated, less than significant impact, or no impact.

## 1. Aesthetics

Except as provided in Public Resources Code section 21099, would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Have a substantial adverse effect on a scenic vista?   |                                |  |                              | No Impact |
| B   | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  |                                |  |                              | No Impact |
| C   | In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? |                                |  |                              | No Impact |
| D   | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   |                                |  |                              | No Impact |

## 2. Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Boards. Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  |                                |  |                              | No Impact |
| B   | Conflict with existing zoning for agricultural use, or a Williamson Act contract?   |                                |  |                              | No Impact |
| C   | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? |                                |  |                              | No Impact |
| D   | Result in the loss of forest land or conversion of forest land to non-forest use?   |                                |  |                              | No Impact |
| E   | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   |                                |  |                              | No Impact |

### 3. Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Conflict with or obstruct implementation of the applicable air quality plan?   |                                |  |                              | No Impact |
| B   | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? |                                |  |                              | No Impact |
| C   | Expose sensitive receptors to substantial pollutant concentrations?  |                                |  |                              | No Impact |
| D   | Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?   |                                |  |                              | No Impact |

### 4. Biological Resources

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? |                                |  |                              | No Impact |
| B   | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?   |                                |  |                              | No Impact |

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| C   | Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?               |                                |  |                              | No Impact |
| D   | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? |                                |  |                              | No Impact |
| E   | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  |                                |  |                              | No Impact |
| F   | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   |                                |  |                              | No Impact |

## 5. Cultural Resources

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5?      |                                |  |                              | No Impact |
| B   | Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? |                                |  |                              | No Impact |
| C   | Disturb any human remains, including those interred outside of dedicated cemeteries?                              |                                |  |                              | No Impact |

## 6. Energy

Would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? |                                |  |                              | No Impact |
| B   | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   |                                |  |                              | No Impact |

## 7. Geology and Soils

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                                |  |                              | No Impact |
| i   | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |                                |  |                              | No Impact |
| ii  | Strong seismic ground shaking?  |                                |  |                              | No Impact |
| iii | Seismic-related ground failure, including liquefaction?   |                                |  |                              | No Impact |
| iv  | Landslides?   |                                |  |                              | No Impact |
| B   | Result in substantial soil erosion or the loss of topsoil?  |                                |  |                              | No Impact |
| C   | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  |                                |  |                              | No Impact |

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| D   | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?                |                                |  |                              | No Impact |
| E   | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? |                                |  |                              | No Impact |
| F   | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  |                                |  |                              | No Impact |

## 8. Greenhouse Gas Emissions

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      |                                |  |                              | No Impact |
| B   | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |                                |  |                              | No Impact |

## 9. Hazards and Hazardous Materials

Would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? |                                |  |                              | No Impact |

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| B   | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   |                                |  |                              | No Impact |
| C   | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   |                                |  |                              | No Impact |
| D   | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  |                                |  |                              | No Impact |
| E   | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? |                                |  |                              | No Impact |
| F   | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   |                                |  |                              | No Impact |
| G   | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   |                                |  |                              | No Impact |

## 10. Hydrology and Water Quality

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? |                                |  |                              | No Impact |

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| B   | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  |                                |  |                              | No Impact |
| C   | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: |                                |  |                              | No Impact |
| i   | result in substantial erosion or siltation on- or off-site;   |                                |  |                              | No Impact |
| ii  | substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;  |                                |  |                              | No Impact |
| iii | create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                               |                                |  |                              | No Impact |
| iv  | impede or redirect flood flows?   |                                |  |                              | No Impact |
| D   | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  |                                |  |                              | No Impact |
| E   | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  |                                |  |                              | No Impact |

## 11. Land Use and Planning

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Physically divide an established community?   |                                |  |                              | No Impact |
| B   | Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? |                                |  |                              | No Impact |

## 12. Mineral Resources

Would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?                                 |                                |  |                              | No Impact |
| B   | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |                                |  |                              | No Impact |

## 13. Noise

Would the project result in:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   |                                |  |                              | No Impact |
| B   | Generation of excessive groundborne vibration or groundborne noise levels?   |                                |  |                              | No Impact |
| C   | For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? |                                |  |                              | No Impact |

## 14. Population and Housing

Would the project:

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? |                                |  |                              | No Impact |
| B   | Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   |                                |  |                              | No Impact |

## 15. Public Services

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                |  |                              | No Impact |
| i   | Fire protection?   |                                |  |                              | No Impact |
| ii  | Police protection?   |                                |  |                              | No Impact |
| iii | Schools?   |                                |  |                              | No Impact |
| iv  | Parks?   |                                |  |                              | No Impact |
| v   | Other public facilities?   |                                |  |                              | No Impact |

## 16. Recreation

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? |                                |  |                              | No Impact |
| B   | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        |                                |  |                              | No Impact |

## 17. Transportation

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?          |                                |  |                              | No Impact |
| B   | Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?  |                                |  |                              | No Impact |
| C   | Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? |                                |  |                              | No Impact |
| D   | Result in inadequate emergency access?  |                                |  |                              | No Impact |

## 18. Tribal Cultural Resources

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| A   | Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:                          |                                |  |                              | No Impact |
| i   | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?   |                                |  |                              | No Impact |
| ii  | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. |                                |  |                              | No Impact |

## 19. Utilities and Service Systems

Would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? |                                |  |                              | No Impact |

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| B   | Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  |                                |  |                              | No Impact |
| C   | Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? |                                |  |                              | No Impact |
| D   | Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?  |                                |  |                              | No Impact |
| E   | Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   |                                |  |                              | No Impact |

## 20. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Substantially impair an adopted emergency response plan or emergency evacuation plan?   |                                |  |                              | No Impact |
| B   | Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?  |                                |  |                              | No Impact |
| C   | Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? |                                |  |                              | No Impact |

| No. | Impact Description   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|--|------------------------------|-----------|
| D   | Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? |                                |  |                              | No Impact |

## 21. Mandatory Findings of Significance

| No. | Impact Description  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|--|------------------------------|-----------|
| A   | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? |                                |  |                              | No Impact |
| B   | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   |                                |  |                              | No Impact |
| C   | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  |                                |  |                              | No Impact |